REMARKS

Claims 2-16 are pending and stand rejected. The applicant has amended claims 2, 3, 5-8, 11, 13, 14, and 16. The amendments are support by the specification, i.a., from line 15 of page 25 to line 16 of page 26. Reconsideration and reexamination are respectfully requested in view of the amendments and the following remarks.

1.   Response to Rejections under Section 103

Claims 2-16 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent No. 6,754,715 to Cannon et al. ("Cannon"). The applicant respectfully traverses the rejection.

Cannon describes a method for streaming digital video using either of two streams – a play stream or a fast-forward stream. *See* column 5, line 57 to column 6, line 5. Both streams are created from the same source video, but the fast-forward stream is configured to optimize quality and bit rate when a user chooses to fast-forward the video information. *See* column 11, lines 7-10 and column 6, lines 15-21. Cannon describes a live play mode, in which the video is streamed at substantially the same time as the event it represents is recorded. *See* column 12, lines 26-35. In the live play mode, the video stream cannot be played in the fast-forward mode because the events that subsequent video frames represent have not occurred yet. *See* column 12, lines 35-55 and column 14, lines 15-21.

As amended, claim 2 recites a method for transmitting streaming video data. The video is streamed to a user from data storage and includes previously-stored first video data and second video data. A request to fast-forward the video is received, and an attempt to bypass the second video data is detected. Notwithstanding the request to fast-forward, the second video data is streamed to the user.

Cannon does not teach or suggest streaming a video that includes previously-stored first and second video data where a request to fast-forward the video is received, an attempt to bypass the second video data is detected, and, even in the presence of the request to fast-forward the video, the second video data is streamed to the user. Cannon simply discloses that if future video has not been recorded, the streaming video cannot be fast-forwarded past the existing video. In

contrast, in the method of claim 2, the video is "previously-stored" in data storage, and so the situation disclosed in Cannon does not arise. For at least these reasons, claim 2 and dependent claims 3 and 4 are allowable over Cannon.

As amended, claim 5 depends from claim 2 and additionally recites storing a pointer to a location of the second data on the data storage. Cannon does not suggest or disclose storing a pointer to a location of data. The sections of Cannon cited by the Examiner discuss packet numbers and time stamps, not the location of data in data storage. For at least these reasons and the reasons set forth with respect to claim 2, claim 5 is allowable over Cannon.

As amended, claim 6 recites a video streaming system that includes a module that reads video data from first and second portions of a virtual partition, where the first portion contains previously-stored first video data, and the second portion contains previously-stored second video data. The module is configured to detect an attempt by a user to bypass the second video data with a fast-forward request and, even in the presence of the fast-forward request, to route the second video data to the user.

Cannon does not suggest or disclose a system including a module that detects an attempt to bypass, with a fast-forward request, previously-stored video data from a portion of a virtual partition and routes the video data to the user, the fast-forward request notwithstanding. Indeed, Cannon does not mention virtual partitions or routing previously-stored video data to a user despite a fast-forward request. For at least these reasons, claim 6 and dependent claims 7-9 and 11 are allowable over Cannon.

As amended, claim 10 depends from claim 6 and additionally recites that a pointer specifies the location of the data for the video that is stored on the second portion of the virtual partition. Cannon does not suggest or disclose specifying with a pointer a location of data on a virtual partition. The sections of Cannon cited by the Examiner discuss packet numbers and time

stamps, not the location of data on a virtual partition. For at least this reason and the reasons set forth with respect to claim 6, claim 10 is allowable over Cannon.

Claim 12 recites a storage stack that includes a file system that accesses data stored on one or more data storage devices, a disk strategy module, and a virtual partition strategy module. The file system is configured to communicate with the disk strategy module through the virtual partition strategy module, and the virtual partition strategy module is configured to ignore a request to fast-forward through an advertisement in streaming data.

The sections of Cannon that the Examiner cites merely mention header information for video packets and conventional data storage devices such as floppy disk drives and hard disk drives. Cannon does not discuss the details of a file system that interfaces with the disk drives and certainly does not suggest or disclose a storage stack including a file system that communicates with a disk strategy module through a virtual partition strategy module. For at least these reasons, claim 12 is allowable over Cannon.

As amended, claim 13 recites a computer program product with features corresponding to those of claim 2. For at least the reasons set forth above with respect to claim 2, claim 13 and dependent claims 14 and 15 are allowable over Cannon.

As amended, claim 16 recites a computer program product with features corresponding to those of claim 5. For at least the reasons set forth above with respect to claim 5, claim 16 is allowable over Cannon.

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2.   Conclusion

The applicant submits that all claims are in condition for allowance, and asks that all claims be allowed. The applicant believes that no fee is due with the present reply. If, however, there are charges or credits, please apply them to deposit account 06-1050.

Respectfully submitted,

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